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10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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13 TAMI WENZEL,

14 Plaintiff,

15 vs.

16 JO ANNE B. BARNHART, Commissioner
17 of Social Security,

18 Defendant.
19 _____/

CASE NO. CV F 02-6210 REC LJO

ORDER AFTER APPELLATE DECISION
(Doc. 34.)

20 _____Plaintiff Tami Wenzel (“plaintiff”) sought judicial review of an administrative law judge’s
21 (“ALJ’s”) January 31, 2002 decision to deny plaintiff’s claims for disability insurance benefits and
22 Supplemental Security Income under Titles II and XVI of the Social Security Act (“Act”), 42 U.S.C. §§
23 401-433 and 1381-1382c. After review of the Administrative Record and the parties’ papers, the
24 magistrate judge issued February 18, 2004 findings and recommendations to DENY plaintiff’s request
25 to reverse the ALJ’s decision denying plaintiff’s claims for disability insurance benefits and SSI, or
26 alternatively, to remand for consideration of new evidence. This Court adopted the magistrate judge’s
27 findings and recommendations with its March 22, 2004 order, and a March 23, 2004 judgment was
28 entered in favor of defendant Jo Anne B. Barnhart, Commissioner of Social Security, and against
plaintiff.

1 After plaintiff appealed this Court's judgment, the Ninth Circuit Court of Appeals entered its
2 March 13, 2006 judgment to reverse this Court with instructions to award benefits. In accordance with
3 the Ninth Circuit's judgment, this Court ORDERS that the Administrative Law Judge's January 31, 2002
4 decision is REVERSED and that this action is REMANDED for calculation and payment of benefits to
5 plaintiff.

6 IT IS SO ORDERED.

7 **Dated: May 11, 2006**
668554

/s/ Robert E. Coyle
UNITED STATES DISTRICT JUDGE